

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DAVID E. ESTEPPE

*

Plaintiff

*

vs.

* CIVIL NO. H-00-3040

*

PATAPSCO & BACK RIVERS
RAILROAD COMPANY

*

Defendant

*

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SCHEDULING ORDER

It is noted that initial pleadings have now been filed in this case. As the case would not appear to present any unusual problems, no status conference will be scheduled, unless requested by counsel and approved by the Court.

I. DISCOVERY

Discovery shall begin immediately. Interrogatories and requests for production, if any are contemplated by any of the parties, and if not previously served, shall be served within 30 days.

This is an action in which Rule 26(a)(1), F.R.Civ.P. disclosures need not be made.

This action is exempt from the requirements of the first sentence of Rule 26(d) and from Rule 26(f), F.R.Civ.P. However, you are encouraged to confer with one another immediately in order to (a) identify the issues, (b) set a discovery plan, (c) determine if the case can be resolved before your clients incur further litigation expense and (d) establish a cordial professional relationship among yourselves.

Depositions and all other discovery shall be completed within 120 days. Motions seeking to join other parties or to amend

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pleadings shall be filed within 90 days of the date of this Order.

Counsel should comply with Local Rule 104.7 concerning discovery disputes that may arise. Procedures for litigating motions to compel should be followed in accordance with Local Rule 104.8. After the parties have fully complied with Local Rule 104.7 and Local Rule 104.8, the Court will thereafter rule on any pending motion to compel on the papers submitted, unless the Court orders that a hearing be held.

No discovery materials, should be filed with the Court. If they are, they will not be returned by the Clerk but will be later destroyed. Counsel should familiarize themselves with the Discovery Guidelines of this Court adopted September 11, 1995. If you do not have a copy of the Guidelines, you may obtain one through the Clerk's Office.

If problems develop with reference to discovery as to some issues in the case, discovery on other issues should nevertheless proceed on schedule. The serving or subsequent filing of a motion to compel or a motion for a protective order will not result in a general extension of the discovery schedule.

Requests for admission must be served prior to the discovery deadline or within 7 days thereafter.

Experts: (a) Plaintiff(s) shall provide F.R.Civ.P. 26(a) (2) disclosures within 60 days of the date of this Order.

(b) Defendant(s) shall provide F.R.Civ.P. 26(a) (2) disclosures within 90 days of the date of this Order.

II. PRETRIAL CONFERENCE

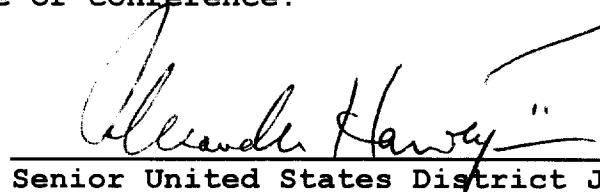
A pretrial conference is scheduled in this case for Tuesday, November 20, 2001 at 4:30 p.m. in Chambers. Counsel are reminded to comply with the requirements of Local Rule 106. In particular, the Pretrial Order must be submitted to the undersigned Judge three days prior to the pretrial conference, unless otherwise ordered by the Court.

A trial date will be scheduled at the pretrial conference and counsel should be prepared at that time to give the Court a reasonable estimate of the time it will take to try this case.

Motions for summary judgment or other substantive motions must be filed at least 15 days before the pretrial conference. If such a motion is filed, counsel should so advise the Court by letter, and if requested by counsel, the pretrial conference will be converted into a status conference. If ordered by the Court, a hearing on such a motion will be scheduled before the trial.

III. CHANGES IN SCHEDULE

Any party who believes that any deadline set in this Scheduling Order is unreasonable may request in writing a modification of this Order or may request that a conference be held for the purpose of seeking a modification of this Order. However, no change in the schedule set forth herein will be permitted and no conference will be held unless the requesting party shows good cause for any such change or conference.


Alexander Harvey
Senior United States District Judge

DATED: May 31, 2001